

PTO/SB/21 (09-04) (AW 10/2004)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/728,472

Filing Date 12/5/2003

First Named Inventor Yves Bellouard

Art Unit 3682

Examiner Name William C. Joyce

Attorney Docket No. RPI-124U5

ENCLOSURES (Check all that apply)

- ☒ Fee Transmittal Form
☐ Fee Attached
- ☐ Amendment/Reply
☐ After Final
☐ Affidavits/Declaration(s)

- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below): 9 pg. Response
to Restriction Requirement and
Preliminary Amendment; credit
card payment form; post card
receipt

Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name RatnerPrestia

Signature

Printed Name Jacques L. Etkowicz

Date 2/26/07

Registration No. 41,738

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

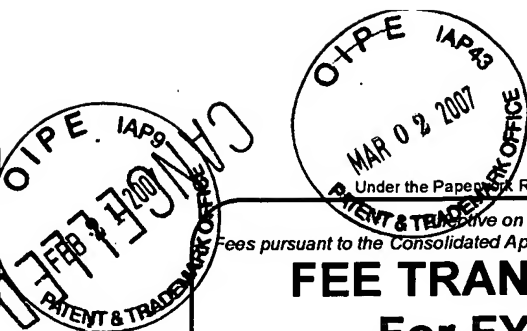
Signature

Typed or Printed Name Denise Morgan

Date 2/26/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Effective on 12/08/04.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27**Complete if Known**

Application Number	10/728,472
Filing Date	12/5/2003
First Named Inventor	Yves Bellouard
Examiner Name	William C. Joyce
Art Unit	3682
Attorney Docket No.	RPI-124US

TOTAL AMOUNT OF PAYMENT (\$)
125**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 18-0350 Deposit Account Name: RatnerPrestia

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	—
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	500	250	600	300	—
Provisional	200	100	0	0	0	0	—

2. EXCESS CLAIM FEES**Fee Description**Each claim over 20 (including Reissues)
Each independent claim over 3 (including Reissues)
Multiple dependent claims

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
26	25 or HP = 1	x 25 =		Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
4	3 or HP = 1	x 100 =	

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
—	—	— / 50 = (round up to a whole number)	x	—

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Fees Paid (\$)

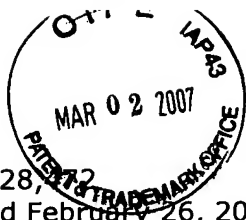
SUBMITTED BY

Complete (if applicable)

Signature	Registration No. Attorney/Agent	41,738	Telephone	610-407-0700
Name (Print/Type)	Jacques L. Etkowicz		Date	2/26/07

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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RPI-124US

Appln. No.: 10/728,472
Amendment Dated February 26, 2007
Reply to Restriction Requirement dated January 24, 2007

Appln. No: 10/728,472
Applicant: Yves Bellouard
Filed: December 5, 2003
Title: REMOTE CENTER OF ROTATION POSITIONING DEVICE
TC/A.U.: 3682
Examiner: William C. Joyce
Confirmation No.: 9428
Docket No.: RPI-124US

**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Election Requirement stated in the Office Letter dated
January 24, 2007.

03/05/2007 SDENB0B1 00000002 10728472

The Examiner requires an election from: 01 FC:2202 25.00 OP
02 FC:2201 100.00 OP

Group I, which includes the following:

- (a) A system for positioning an object, wherein the flexure members are made from a CU-Be material;
- (b) A system for positioning an object, wherein the flexure members are made from a spring-steel material;
- (c) A system for positioning an object, wherein the flexure members are made from a material exhibiting a super-elastic effect;
- (d) A system for positioning an object, wherein the flexure members are made from a shape memory alloy;
- (e) A system for positioning an object, wherein the flexure members are made from a Ni-Ti-X material;
- (f) A system for positioning an object, wherein the flexure members are made from a metallic material;
- (g) A system for positioning an object, wherein the flexure members are made from a plastic material.

The Examiner also requires an election from:

- (h) A system for positioning an object, wherein the remote center of rotation is located inside the object;
- (i) A system for positioning an object, wherein the remote center of rotation is located outside the object;
- (j) A system for positioning an object, wherein the remote center of rotation is located on the surface of the object.

Applicant elects to prosecute embodiment (f) from Group I and embodiment (j) from Group II.

This election is made without traverse.

Claims 1-11, 17, 19, 22-26 read on the elected species, of which at least claim 1 is generic. Applicant has also added new claim 26 which also reads on the elected species. An Amendment is incorporated herein.

Prior to examination, please amend the above-identified application as follows:

- ☐ **Amendments to the Specification** begin on page of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.
- ☐ **Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet(s).
- ☐ **Amendments to the Abstract** are on page of this paper. A clean version of the Abstract is on page of this paper.
- ☒ **Remarks/Arguments** begin on page 9 of this paper.